

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Donald William Carlson,

Civil No. 12-CV-2898 (DSD/TNL)

Plaintiff,

v.

ORDER

Michael Berger, Wright County
Public Defender, Wright County,
State of Minnesota,

Defendants.

Donald William Carlson
6229 Parkwood Road
Edina, MN 55436

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated December 19, 2012 (Docket No.4), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Plaintiff's application to proceed in forma pauperis (Docket No. 2) is **DENIED**;
and
2. This action is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: January 10, 2013

s/David S. Doty
David S. Doty, Judge
United States District Court